

IDAHO CONTRACTORS BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 1/31/2019

BOARD MEMBERS PRESENT: Gary R Bond - Chair
Rodney Underhill
J Robert Pilote
Todd B Webb
David S Shurtleff

BUREAU STAFF: Kelley Packer, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Joan Callahan, General Counsel
Kim Aksamit, Technical Records Specialist II

OTHERS PRESENT: Guido Acheson, Tri Force; Darek Acheson, Tri Force; Justin Rindlisbacher, Christian Coulter, Bobby Crear, Spectrum Services LLC; Donnell Walker, Tri Force

The meeting was called to order at 12:32 PM MST by Gary R Bond.

INTRODUCTIONS

Ms. Packer was introduced to the Board members as the Bureau Chief. Mr. McQuade was introduced to the Board members as the Bureau's new legal counsel.

APPROVAL OF MINUTES

Mr. Webb made a motion to approve the minutes of December 18, 2018. It was seconded by Mr. Shurtleff. Motion carried.

LEGISLATIVE REPORT

Ms. Packer gave the legislative report. The deadline to submit legislative ideas to the Governor's Office is July and the deadline to submit proposed law and rule changes to the Governor's Office is August for the 2020 Legislative Session. The Bureau will update Board members if information becomes available that may affect the industry.

INTERIM COMMITTEE: OCCUPATIONAL LICENSING & CERTIFICATION LAWS COMMITTEE

Ms. Eavenson updated the Board on the Interim Committee's current status, the November meeting of the National Consortium on Occupational Licensing held in Florida, and the Licensing Freedom Act Working Group.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$137,948.26 as of December 31, 2018.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Pilote made a motion to approve the Bureau's recommendation and authorize closure in cases I-CON-2019-12, I-CON-2019-22, I-CON-2019-46, I-CON-2019-52, I-CON-2019-55, I-CON-2019-59, I-CON-2019-68, I-CON-2019-78, I-CON-2019-83, I-CON-2019-84, I-CON-2019-122, I-CON-2019-133, I-CON-2019-143, I-CON-2019-145, I-CON-2019-163, I-CON-2019-167, I-CON-2019-173, I-CON-2019-18, I-CON-2019-48, I-CON-2019-53, I-CON-2019-121, I-CON-2019-129, I-CON-2019-194, I-CON-2019-64, I-CON-2019-73, I-CON-2019-86, I-CON-2019-109, I-CON-2019-111, I-CON-2019-112, I-CON-2019-120, I-CON-2019-123, I-CON-2019-124, I-CON-2019-130, I-CON-2019-132, I-CON-2019-137, I-CON-2019-138, I-CON-2019-141, I-CON-2019-142, I-CON-2019-157, I-CON-2019-159, I-CON-2019-177, I-CON-2019-179, I-CON-2019-180, I-CON-2019-183, I-CON-2019-192, I-CON-2019-193, I-CON-2019-85, I-CON-2019-87, I-CON-2019-87, I-CON-2019-131 and I-CON-2019-134. It was seconded by Mr. Webb. Motion carried.

Mr. Webb made a motion to approve the Bureau's recommendation and authorize closure in cases I-CON-2017-276, I-CON-2018-10, I-CON-2018-21, I-CON-2018-34, I-CON-2018-66, I-CON-2018-105 and I-CON-2018-106, I-CON-2018-114, I-CON-2018-123, I-CON-2018-137, I-CON-2018-143, I-CON-2018-170, I-CON-2018-178, I-CON-2018-189, I-CON-2018-226, I-CON-2018-227, I-CON-2018-248, I-CON-2018-265, I-CON-2018-298, I-CON-2018-312, I-CON-2018-317, I-CON-2018-330, and I-CON-2018-334. It was seconded by Mr. Shurtleff. Motion carried.

PAYMENT PROPOSALS

Ms. Peel presented payment proposals for CON-2017-110, CON-2018-45, and CON-2017-89.

Mr. Webb made a motion to accept the payment proposal for CON-2017-110. It was seconded by Mr. Pilote. Motion carried.

Mr. Pilote made a motion to accept the payment proposal for CON-2018-45. It was seconded by Mr. Webb. Motion carried.

Mr. Webb made a motion to deny the payment proposal for CON-2017-89. It was seconded by Mr. Pilote. Motion carried.

OLD BUSINESS

The Board reviewed the To Do List and no action was taken.

NEW BUSINESS

EXECUTIVE SESSION

Mr. Pilote made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Mr. Underhill. The vote was: Mr. Webb, aye; Mr. Bond, aye; Mr. Shurtleff, aye; and Mr. Pilote, aye. Motion carried.

Mr. Pilote made a motion to come out of executive session. It was seconded by Mr. Underhill. The vote was: Mr. Webb, aye; Mr. Bond, aye; Mr. Shurtleff, aye; and Mr. Pilote, aye. Motion carried.

APPLICATIONS

Mr. Pilote made a motion to table the following application pending receipt of additional information:

901163502

It was seconded by Mr. Webb. Motion carried.

Mr. Webb made a motion to approve the following for registration:

CALL KRISTEN JOSEPH	RCT-49874
RINDLISBACHER JUSTIN TODD	RCT-50099
TRI FORCE CONSTRUCTION LLC	RCE-50082

It was seconded by Mr. Underhill. Motion carried.

DISCIPLINE

Ms. Callahan presented an order vacating the Default Order and Findings of Fact, Conclusions of Law and Final Order in case CON-2019-1. Mr. Webb made a motion to vacate the Default Order and Findings of Fact, Conclusions of Law and Final Order. It was seconded by Mr. Underhill. Motion carried.

Ms. Callahan presented a memorandum regarding case numbers CON-2019-27, CON-2019-25, CON-2019-19, CON-2019-18, CON-2019-43, CON-2019-50, CON-2019-41, CON-2019-47 and CON-2019-61. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Underhill made a motion to close case number CON-2019-19 with a warning letter. It was seconded by Mr. Webb. Motion carried.

Mr. Underhill made a motion to close case number CON-2019-18 with a warning letter. It was seconded by Mr. Shurtleff. Motion carried.

Mr. Webb made a motion to close case number CON-2019-43 with a warning letter. It was seconded by Mr. Pilote. Motion carried.

Ms. Callahan presented Stipulation and Consent Orders in cases CON-2018-24, CON-2018-77, CON-2018-95, CON-2019-35, CON-2019-57 and CON-2018-24. Mr. Pilote made a motion to approve the Consent Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Webb. Motion carried.

FINAL ORDER

Ms. Callahan presented Findings of Fact, Conclusions of Law and Final Orders in cases CON-2018-46, CON-2018-86, CON-2018-87, CON-2018-88, CON-2018-103 and CON-2018-104. Mr. Underhill made a motion to approve the Final Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Webb. Motion carried.

OLD BUSINESS

The application process was discussed and no action was taken.

NEW BUSINESS

INSURANCE AUDIT

Ms. Aksamit updated the Board members on the insurance audit from 1/9/2019.

Discussion was held on the Fire Protection Sprinkler System License being required by the Department of Insurance. The Board directed the Bureau to add language to the application advising applicants of this requirement, and to bring a revised copy to its next meeting.

EXECUTIVE SESSION

Mr. Pilote made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Mr. Webb. The vote was: Mr. Webb, aye; Mr. Bond, aye; Mr. Shurtleff, aye; and Mr. Pilote, aye. Motion carried.

Mr. Underhill made a motion to come out of executive session. It was seconded by Mr. Webb. The vote was: Mr. Webb, aye; Mr. Bond, aye; Mr. Shurtleff, aye; and Mr. Pilote, aye. Motion carried.

APPLICATIONS

Mr. Webb made a motion to approve the following for registration:

REYES TREASURE VALLEY CONSTRUCTION LLC	RCE-49686
DECK THE WALLS LLC	RCE-49774
RIMROCK ROOFING LLC	RCE-49820
WOLF FOUNDATIONS LLC	RCE-49838
WILD WEST FRAMING LLC	RCE-49864
RM3 BUILDERS LLC	RCE-49865
RIVAL ROOFING LLC	RCE-49961
GO CONSTRUCTION MANAGEMENT INC	RCE-50001
PRODIGAL SERVICES LLC	
DBA PRODIGAL CONSTRUCTION SERVICES	RCE-50047
RCB CONSTRUCTION LLC	RCE-50085
IDAHOME RENOVATIONS INC	RCE-50165
BAKER STEVEN I	RCT-49871
KOHN RYAN	RCT-49845
NORTHRUP DANNY RAY	RCT-49661
WILHELMOSEN TRENTON STEPHEN	RCT-50016

It was seconded by Mr. Pilote. Motion carried.

Mr. Webb made a motion to deny the following based on Rule 165:

S3 LLC

It was seconded by Mr. Underhill. Motion carried.

Mr. Webb made a motion to approve the following pending receipt of additional information:

901164252

It was seconded by Mr. Underhill. Motion carried.

Mr. Webb made a motion to table the following application pending receipt of additional information:

901163611
901164366

It was seconded by Mr. Underhill. Motion carried.

NEXT MEETING was scheduled for February 19, 2019 at 10:00 AM MST.

ADJOURNMENT

Mr. Underhill made a motion to adjourn the meeting at 4:42 PM MST. It was seconded by Mr. Shurtleff. Motion carried.

Gary R Bond, Chair

Rodney Underhill

J Robert Pilote

Todd B Webb

David S Shurtleff

Kelley Packer, Bureau Chief